

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF FLORIDA  
Miami Division**

THE FARMWORKER ASSOCIATION  
OF FLORIDA, INC., A.M., J.L., R.M.,  
C.A., M.M., D.M., A.C., G.D.L., and M.G.,

*Plaintiffs,*

v.

RONALD D. DESANTIS, in his official  
capacity as Governor of the State of  
Florida; et al.,

*Defendants.*

Case No. 1:23-cv-22655

**STIPULATION AND JOINT MOTION OF PLAINTIFFS  
AND DEFENDANT STATE ATTORNEYS FOR STAY**

All Plaintiffs in this action and Defendant State Attorneys<sup>1</sup>, in their official capacities as the State Attorneys of their respective judicial circuits of the State of Florida, and on behalf of themselves, their offices, their successors in office, and all personnel acting on behalf of their respective offices (“Defendant State Attorneys”) (together, the “Stipulating Parties”) stipulate and jointly move for a stay of all deadlines for the Defendant State Attorneys, subject to the conditions set forth below. The other Defendants in this action—Governor DeSantis, Attorney General Moody, and Statewide Prosecutor Cox—do not oppose this Stipulation and Joint Motion for a Stay.

District courts have broad, discretionary authority to decide how to manage their dockets, including the ability to issue stays. *Johnson v. Bd. of Regents of Univ. of Ga.*, 263 F.3d 1234, 1269 (11th Cir. 2001) (“[W]e accord district courts

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<sup>1</sup> Defendant State Attorneys are: GINGER BOWDEN-MADDEN in her official capacity as State attorney for the First Judicial Circuit of Florida; JACK CAMPBELL in his official capacity as State attorney for the Second Judicial Circuit of Florida; JOHN F. DURRETT in his official capacity as State attorney for the Third Judicial Circuit of Florida; MELISSA NELSON, in her official capacity as the State attorney for the Fourth Judicial Circuit of Florida; WILLIAM M. GLADSON in his official capacity as State attorney for the Fifth Judicial Circuit of Florida; BRUCE L. BARTLETT in his official capacity as State attorney for the Sixth Judicial Circuit of Florida; R.J. LARIZZA in his official capacity as State attorney for the Seventh Judicial Circuit of Florida; BRIAN S. KRAMER in his official capacity as State attorney for the Eighth Judicial Circuit of Florida; ANDREW BAIN in his official capacity as State attorney for the Ninth Judicial Circuit of Florida; BRIAN W. HAAS in his official capacity as State attorney for the Tenth Judicial Circuit of Florida; KATHERINE FERNANDEZ-RUNDLE in her official capacity as State attorney for the Eleventh Judicial Circuit of Florida; ED A. BRODSKY in his official capacity as State attorney for the Twelfth Judicial Circuit of Florida; SUSAN LOPEZ in her official capacity as State attorney for the Thirteenth Judicial Circuit of Florida; LARRY R. BASFORD in his official capacity as State attorney for the Fourteenth Judicial Circuit of Florida; DAVID. A. ARONBERG in his official capacity as State attorney for the Fifteenth Judicial Circuit of Florida; DENNIS W. WARD in his official capacity as State attorney for the Sixteenth Judicial Circuit of Florida; HAROLD F. PRYOR in his official capacity as State attorney for the Seventeenth Judicial Circuit of Florida; PHILIP G. ARCHER in his official capacity as State attorney for the Eighteenth Judicial Circuit of Florida; THOMAS R. BAKKEDAH in his official capacity as State attorney for the Nineteenth Judicial Circuit of Florida; AMIRA D. FOX, in her official capacity as State attorney for the Twentieth Judicial Circuit of Florida.

broad discretion over the management of pre-trial activities, including discovery and scheduling.”); *Jolly v. Hoegh Autoliners Shipping AS*, 2021 WL 1822758 (M.D. Fla. Apr. 5, 2021); *see also Dietz v. Bouldin*, 136 S. Ct. 1885, 1892 (2016) (“[D]istrict courts have the inherent authority to manage their dockets and courtrooms with a view toward the efficient and expedient resolution of cases.”).

Here, a stay is reasonable and supported by good cause because it will simplify the issues in question, reduce the burden of litigation, and will not burden the other defendants. *See Chico v. Dunbar Armored, Inc.*, 2017 WL 4476334, at \*2 (S.D. Fla. Oct. 6, 2017). A similar stipulation for a stay relating to the Defendant State Attorneys was granted recently in the Northern District of Florida. *See Shen v. Simpson*, No. 4:23-cv-208, Dkt. 59 (N.D. Fla. July 5, 2023) (granting similar motion to stay deadlines as to state attorney defendants).

In light of the foregoing, the Stipulating Parties enter into the following stipulations and agreements, and make the following joint motion:

1. The Stipulating Parties hereby jointly move to stay all deadlines for the Defendant State Attorneys in this case, subject to the conditions herein. If such a stay is entered, Plaintiffs will not seek to lift the stay over the Defendant State Attorneys’ objection, absent good cause.



2. The stay of all deadlines for the Defendant State Attorneys set forth in Paragraph 1 will be conditioned upon, and subject to the agreement of, each Stipulating Party as follows:

a. Each Defendant State Attorney, in their official capacity, agrees (on behalf of themselves, their offices, their successors in office, and all personnel acting on behalf of their respective offices) to the following:

i. To comply with and be bound by the terms of any injunction, preliminary or permanent, that may be entered in this matter against Defendants Ronald D. DeSantis, in his official capacity as Governor of the State of Florida, Ashley Moody, in her official capacity as Attorney General of the State of Florida, and/or Nicholas B. Cox, in his official capacity as Statewide Prosecutor for the State of Florida (collectively, the "State Defendants"). An injunction or declaratory judgment entered against any of the State Defendants shall be binding upon the Defendant State Attorneys to the same extent as against any State Defendant.

ii. Not to enforce (or seek to enforce) an enjoined provision of Section 10 of Senate Bill 1718 ("SB 1718")<sup>2</sup> in a manner that violates said injunction during the time such an injunction is in

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<sup>2</sup> Ch. 2023-40, § 10 at 11, Laws of Fla. (amending §§ 787.07(1), Fla. Stat. (2022))

place, or against conduct that was protected by such an injunction at the time that conduct occurred, even if such injunction was later vacated; and

iii. That any judgment in this action declaring SB 1718 unconstitutional will be binding on themselves, their respective offices, successors in office, and all personnel acting on behalf of their respective offices, to the same degree it is binding on the State Defendants.

b. In the event that any State Defendant prevails on any claim on the merits—including dismissal for failure to state a claim or summary judgment on the merits—the Plaintiffs agree to be bound by that judgment with respect to the Defendant State Attorneys to the same degree they are bound with respect to any State Defendant.

3. The Stipulating Parties agree that, upon Court approval of this agreement and joint motion, the Court may enforce this agreement as necessary and appropriate in the adjudication of this matter and in the enforcement of its orders or judgment entered in this matter.

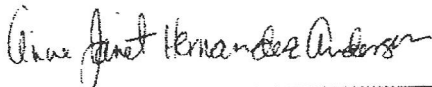
4. The Stipulating Parties agree not to seek costs or fees against the other.

### CERTIFICATE OF CONFERRAL

Consistent with Local Rule 7.1(a)(3), counsel for Plaintiffs conferred by telephone and email with counsel for the State Attorney Defendants. As discussed above, Plaintiffs and the State Attorney Defendants bring this motion jointly. In addition, counsel for Plaintiffs conferred by telephone with counsel for the other Defendants (Governor DeSantis, Attorney General Moody, and Statewide Prosecutor Cox), who do not oppose this motion.

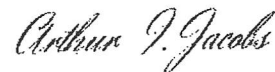
Sept. 5  
Dated: ~~August 31~~, 2023

Respectfully submitted,



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*Defendant State Attorneys*

**CERTIFICATE OF SERVICE**

I hereby certify on <sup>Sept. 5</sup> ~~August 31~~, 2023, I electronically filed the foregoing with the Clerk of Court via the CM/ECF system. I further certify that a true and correct copy of the foregoing and all supporting attachments were served on all parties of record by e-mail, and U.S. Mail as described in the Service List below on ~~August 31~~ <sup>Sept. 5</sup>, 2023.

s/Anne Janet Hernandez Anderson

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